

SUMMARY OF CHANGES

As AR's are updated formatting issues are fixed and phrases are clarified. For example:

- If there is a paragraph designated as number 1 with no paragraph number 2 listed under it, then the number 1 designation will be removed. Subsequently if there is a paragraph designated as A with no paragraph B listed under it, then the letter A designation will be removed. Unfortunately this issue was not caught and fixed in some of the earlier AR's that were held over from the prior meeting.
- In AR's where it states "each facility shall designate..." This will be changed to "the Warden responsible for each institution and/or facility shall..."

AR 100 ADMINISTRATIVE REGULATIONS

--Under the RESPONSIBILITY section in the new AR, the **Inspector General** was added and a sentence has been added that was not in the old AR. The added sentence reads:

The Board of Prison Commissioners approves temporary AR's or retains the temporary AR's with recommendations for amendment at next meeting.

The phrase Deputy Director or subject matter expert was changed to SME throughout the document.

Under 100.01 DEVELOPMENT OF ADMINISTRATIVE REGULATIONS

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

The AR Policy Coordinator will announce which ARs are scheduled to be reviewed by the Executive AR Policy Panel will set a deadline for input from all NDOC staff.

The changed sentences in the new AR read:

The AR Policy Coordinator will announce which ARs are scheduled to be reviewed by the Executive AR Policy Panel. The coordinator will attach the current version of each AR scheduled to be reviewed to the notification and will set a 14 day deadline for input from all NDOC staff.

This sentence has been added:

The Director and/or AR Policy Coordinator may assign an appropriate staff member to act as the subject matter expert (SME) for each AR and the SME will also review the current AR for any changes.

Under 100.01, 4, D. This sentence has been added:

Mail must be received or postmarked within the 14 day deadline.

4. F was removed: Input must be constructive.

SUMMARY OF CHANGES

5. was removed: The AR Policy Coordinator may assign appropriate staff to write drafts of policies and procedures.

7. This sentence has been added:

SMEs will document their contact with employees who submit input.

7. A. has been changed in the new AR. The changed sentence in the old AR read:

A. Input that is recommended for adoption will be forwarded to the Executive AR Policy Panel for further consideration.

7. A. was incorporated into number 8 and now reads:

8. The SME will draft the proposed AR incorporating some, all or none of the staff's recommendations and submit the draft AR to the AR Policy Coordinator.

In the old AR number 10 and 11 stated that the draft AR would be signed by the Director and become a temporary AR that would be approved at the next BOP meeting.

In the new AR steps were added for the AR draft to be re-sent to staff for additional input for becoming a temporary AR:

10. Once the Executive AR Policy Panel has tentatively approved the draft AR, the AR Policy Coordinator will announce and send out all draft ARs for final comment from all NDOC staff.

11. NDOC staff may recommend changes, additions, and/or submit final input for any of the second draft ARs to the AR Policy Coordinator and must follow the established procedures in number five (5) above.

A. The Director and/or Executive AR Policy Panel may consult with designated counsel from the Attorney General's Office regarding proposed input prior to adoption.

B. The Director and/or the Executive AR Policy Panel will consider all proposed input, but the Director will make the final decision regarding any changes, additions, or deletions to the AR.

12. Draft ARs should be reviewed by the Executive AR Policy Panel and the designated counsel of the Attorney's General Office as needed.

13. Any draft AR that has been signed by the Director shall become a Temporary AR with the force of policy until presented at the meeting of the Board of Prison Commissioners and approved thereby, where after it will become the operative AR. Draft temporary ARs will be effective on the date signed by the Director.

Number 14 is the old AR became number 17 new AR with the words **specific operational procedures added. The changed sentences in the new AR read:**

SUMMARY OF CHANGES

17. ARs approved by the Board of Prison Commissioners are public documents and will not contain **specific operational** procedures **that** affect the safety and/or security of NDOC institutions/facilities, inmates and/or staff. **Specific operational procedures** that affect the safety and/or security of NDOC institutions/facilities, inmates and/or staff are confidential and do not constitute public documents.

On number 100.03, 3. The wording **at their facility was added. The changed sentences in the new AR read:**

3. Wardens and Division Heads will distribute ARs to their subordinate staff, as appropriate. Wardens and Division Heads will ensure a complete and current paper copy of all ARs is maintained **at their facility** to ensure accessibility to employees who may not have computer access.

SUMMARY OF CHANGES

AR 107, EMERGENCY RESPONSE MANUAL

--In the AUTHORITY section of the new AR, a new AUTHORITY has been added. The added AUTHORITY to the new AR is: **NRS 414.040**

--Under the RESPONSIBILITY section in the new AR, a sentence has been added that was not in the old AR. The added sentence reads:

Within the framework of the Nevada's State Comprehensive Emergency Management Plan (SEMP) latest version, Wardens shall review this document on an annual basis, implementing an institutionally specific emergency response manual as follows:

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

“All Department staff, contract employees and volunteers, as well as all other persons who are allowed the privilege of accessing or using **information technology (IT)** or telecommunication systems within a secure environment or directly connected to Department IT resources, are responsible **to have** knowledge of, and **comply** with, this regulation.”

The changed sentences in the new AR read:

“All Department staff, contract employees and volunteers, as well as all other persons who are allowed the privilege of accessing or using **IT** or telecommunication systems within a secure environment or directly connected to Department IT resources, are responsible **for having** knowledge of and **complying** with this regulation.

SUMMARY OF CHANGES

AR 120, NEWS MEDIA CONTACTS PRESS RELEASE

-- Under the **RESPONSIBILITY** section in the new AR, this sentence has been removed:

The Warden/division head is responsible to ensure that media contacts are conducted so as not to disrupt institutional operations.

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

The Correctional Case Records Manager of the Offender Management Division is responsible to provide information from an inmate's record per the requirements of the Department's Administrative Regulation 569.

Institutional and Departmental staff are responsible to know what is public information and provide that information when requested.

The changed sentences in the new AR read:

The Correctional Case Records Manager (CCRM) of the Offender Management Division (OMD) is responsible for responding to requests for Departmental records per the requirements of the Department's Administrative Regulation 569.

Institutional and Departmental staff are responsible to know what is public information and to forward the requests to the appropriate person.

Under 120.01 NEWS MEDIA ACCESS TO INSTITUTIONS/FACILITIES

This sentence has been added:

1. The Warden/Division Head is responsible to ensure that media contacts are conducted so as not to disrupt institutional operations.

The previous #1 was moved down and became #2.

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

2. Pre-arranged news media visits to facilities are encouraged and will be coordinated through the PIO, subject to approval of time, manner and place restrictions as determined by the Director relating to safety, security, discipline and the orderly operation of the prison. News media representatives' requests for access to the facility must be in writing and include the following information:

The changed sentences in the new AR read:

3. Pre-arranged news media visits to facilities, if approved by Director/designee, will be coordinated through the PIO, subject to approval of time, manner and place restrictions as determined by the Director relating to safety, security, discipline and the orderly operation of the prison. News media representatives' requests for access to the facility must be in writing and include the following information:

SUMMARY OF CHANGES

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

- A. Full name, date of birth, race, and gender for the purpose of NCIC/WASIC background checks.
- C. Time and duration of visit.

The changed sentences in the new AR read:

- A. Full name, date of birth, social security number, race, and gender for the purpose of conducting national criminal justice background checks.
- C. Requested time and duration of visit.

These sentences and words have been added: Also, note that from this point forward, where it previously said facility, it now says institution/facility for the rest of the AR.

- 4. News media representatives must provide positive identification. Foreign media, except for Canadians, must have an "I" Visa on their passport. The media and their equipment shall be subjected to a clothed body search per AR 422, Search and Seizure Standards, and must follow Departmental rules and regulations.
- 5. The PIO or designee will ensure media representatives sign the completed DOC form 045 "News Media Agreement" prior to being allowed into the institution/facility.
- 6. News media representatives will be granted access to the institution/facility subject to approval of time, manner and place restrictions as determined by the Director relating to safety, security, discipline and the orderly operation of the prison; and consistent with preserving offender rights to privacy. Media representatives must be escorted by no one of lesser rank than Associate Warden. Random access to other inmates or staff not specific to the purpose of the visit is prohibited.
- 7. No items may be passed between media representative and inmates.
The number sequence was altered due to adding #7.

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read: Also, note that from this point forward, where it previously said DOC, it now says NDOC for the rest of the AR.

- 7. The Parole Board has authority to determine if media representatives will be allowed to attend Board hearings held within DOC institutions/facilities. The Warden or Facility supervisor may limit the number of media representatives

SUMMARY OF CHANGES

based on space availability. News media representatives will follow visiting procedures outlined in this section.

The changed sentences in the new AR read:

(Changed to) 9. The Parole Board has authority to determine if media representatives will be allowed to attend Board hearings held within NDOC institutions/facilities. The Warden or Facility supervisor may limit the number of media representatives based on space availability. News media representatives will follow visiting procedures outlined in this section and other Department regulations.

This sentence has been added:

10. As the review and approval process of media requests for access may take some time, the media is encouraged to get their request and required information to the PIO at least two weeks prior to the institution/facility visit.

-- Under 120.02 PUBLIC INFORMATION OFFICER/DESIGNEE

DESIGNATION AND RESPONSIBILITIES section 2, a sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

(4) The PIO will not engage in extensive news media interviews without authorization from the Director.

The changed sentences in the new AR read:

(4) The PIO will not engage in news media interviews without authorization from the Director/designee.

From this point forward the word designee has been added where appropriate.

--Under section 3, Release of Information Regarding Incidents; a A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

C. Names of employees or inmates involved in incidents will not be released to the news media without the specific approval of the Director or the Deputy Director, except in the instance of an inmate escape.

(1) In the event of an escape, the name of the fugitive inmate shall be released along with identifying information.

(2) In the event of an escape, press associations should be notified first, and individual media second.

(3) Inmate suspects will not be named, except in the case of an escape, until after they have been officially charged. Then, only background information, which is not relevant to the case, can be released.

(4) The name of an inmate victim can be released to the press after a member of the family, or the next of kin, is notified

SUMMARY OF CHANGES

The changed sentences in the new AR read:

C. **Details of incidents, including names** of employees or inmates involved in incidents, will not be released to the news media without the specific approval of the Director or the Deputy Director, except in the instance of an inmate escape. In the event of an escape, the name of the fugitive inmate shall be released along with identifying information.

(1) In the event of an escape, press associations should be notified as **well as** individual media.

(2) Inmate suspects will not be named, except in the case of an escape, until after they have been officially charged. Then, only background information **may** be released.

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

2. Requests by other media representatives for access to facilities, staff, or offenders **will** be submitted in writing to the PIO on company letterhead at least 2 weeks prior to commencement of the project. The following information is required:

A. A description of the media representative's project, including a proposed list of facilities, offenders, activities, or situations the representative wishes to include in the project.

The changed sentences in the new AR read:

2. Requests by other media representatives for access to **NDOC institutions**/facilities, staff, or offenders must be submitted in writing to the PIO on company letterhead at least two (2) weeks prior to commencement of the project. The following information is required:

A. A description of the media representative's project, including a proposed list of **institutions**, facilities, offenders, activities, or situations the representative wishes to include in the project.

A sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

120.03 MEDIA CONTACTS

1. Authorized media spokespersons consist of the Director **of the Department of Corrections**/Deputy Director and the Department PIO. No other individual is authorized to speak to the media regarding Departmental issues without **the approval of one of them**.

3. Any employee contacted by a news media representative will prepare a **Media Contact Report** at the earliest opportunity, but no later than 24 hours from the

SUMMARY OF CHANGES

time of contact. The [Media Contact Report](#) will consist of an e-mail message containing the following information:

D. Brief description of the [information or assistance provided](#).

4. [DOC employees will distribute the Media Contact Report to the PIO with a copy to the employee's immediate supervisor](#).

6 C. The news media may be allowed access to [all program](#) areas of the institution/facility consistent with the safe and orderly operation of the institution/facility. Media will be accompanied by the PIO and the Associate Warden must be present.

6 D. News media may be restricted from access to institutions/facilities during [disruptions](#), for security purposes or when such visits would [be](#) a substantial disruption [of](#) operational activities.

The changed sentences in the new AR read:

1. Authorized media spokespersons consist of the Director, Deputy Director and the Department PIO. No other individual is authorized to speak to the media regarding Departmental issues without [their](#) approval.

3. Any [NDOC](#) employee [directly](#) contacted by a news media representative will [not make a statement to the media, but will instead direct the media representative to contact the PIO. The employee will then prepare a NOTIS entry and an email to the PIO at the earliest opportunity, but no later than 24 hours from the time of contact. The PIO email will consist of an e-mail message containing the following information:](#)

D. Brief description of the [employees response to the media representative](#).

4. [NDOC employees will inform their supervisor and the PIO of any events that may attract public and/or news interest.](#)

5 C. The news media may be allowed access to areas of the institution/facility consistent with the safe and orderly operation of the institution/facility. Media [representatives](#) will be accompanied by the PIO/[designee](#) and the [Warden or](#) Associate Warden must be present.

5 D. News media may be restricted from access to institutions/facilities during [ongoing incidents, emergencies](#), for security purposes or when such visits would [create](#) a substantial disruption [to](#) operational activities.

SUMMARY OF CHANGES

--Under 120.05 USE OF PRISON BUILDINGS AND GROUNDS a sentence that was in the old AR has been changed in the new AR. The changed sentence in the old AR read:

120.05 USE OF PRISON FACILITIES

1. Use of institutions, facilities, personnel, inmates or records under the control of the Department, in conjunction with the making of motion pictures, radio or television programs (except for news of incidents), the writing of books, magazine articles or syndicated stories may be permitted only with the prior approval of the Director.
2. All movie companies, broadcasters, and writers, including news media who are permitted to enter an institution/facility, will be informed beforehand of institutional security requirements.
3. The security and operation of the institution/facility are paramount.
4. In the event of an unusual circumstance, the work of the news media, moviemakers, broadcasters, and writers may be suspended.

The changed sentences in the new AR read:

120.05 USE OF PRISON BUILDINGS AND GROUNDS

1. Use of institutions, facilities, personnel, inmates or records under the control of the Department, in conjunction with the making of motion pictures, documentaries, radio or television programs (except for live news of incidents), the writing of books, magazine articles or syndicated stories may be permitted only with the prior approval of the Director. All use of Department personnel and facilities may be charged at the Department's cost. Payments must be paid in advance to the Department.
2. All movie companies, broadcasters, and writers, including news media who are permitted to enter an institution/facility, will be informed beforehand of institutional security requirements.
3. The security and operation of the institution/facility are paramount to the needs and desires of any production crew or media representatives.
4. In the event of an unusual circumstance, the work of the news media, moviemakers, broadcasters, and writers may be suspended.
5. All movie companies seeking to film NDOC facilities must be vetted through the Nevada Film Office.

SUMMARY OF CHANGES

6. All movie companies, broadcasters, writers, journalists, etc. desiring access to Department buildings and grounds must have and show proof of insurance acceptable to the Nevada Division of Risk Management prior to entrance.

--Under 120.06 RESPONSE TO REQUESTS FOR PUBLIC INFORMATION many sentences that were in the old AR have been changed in the new AR. The changed sentence in the old AR read:

120.06 RESPONSE TO REQUESTS FOR PUBLIC INFORMATION

- A. Name
 - B. Identification number
 - C. Institutional location (except OSC and Boarder inmates)
 - E. Time serving
2. The following staff information is public information
- A. Name
 - B. Work station
3. Confidential information that shall not be revealed to the public includes, but is not limited to:
- B. Specific illness, medical, or psychiatric diagnosis.
4. Requests for information contained in inmate records will be referred to the Correctional Case Records Manager of the OMD.
5. Photos of inmates are public information.
- B. The photo ID will not be retaken for the sole purpose of providing photos to the media.
 - C. A photo may be faxed or emailed to a member of the media.
6. News Media Inquiries Regarding Inmates
- A. Inquiries regarding inmates confined at an institution or facility of the Department, will be answered by institutional staff in a manner with the standards for confidentiality of inmate records as outlined in Administrative Regulation 569 and this regulation.

SUMMARY OF CHANGES

- B. Correspondence regarding inmates who have been discharged and those on the out-of-state out count may be forwarded to the Offender Management Division for response
 - C. Correspondence regarding inmates on parole may be forwarded to the Department of Parole and Probation for response.
 - D. Copies of all correspondence pertaining to inmates shall be placed in the inmate's I-file
8. C. The Department will accept personal checks, cash, or money orders for the exact cost of the copying.
- (1) Vendors established with the State of Nevada may request to be billed for the copy service.
 - D. The amount of the fee will depend on whether the document is comprised of mixed size papers; whether the document contains other media (such as overhead slides, etc); and whether the document is bound or unbound.
 - E. When determining the fee to charge, the person making the copies will examine the document and determine the fee based on the time necessary to make the copies considering the time required to disassemble a bound document and the approximate number of mixed paper sizes. Reasonable costs as allowed by law will be charged.
 - (1) The requester will be informed of the fees prior to the copies being made.
 - (2) Except for authorized vendors, as stated in section 120.06.8.C above, all fees will be paid in advance.

The changed sentences in the new AR read:

120.06 RESPONSE TO REQUESTS FOR PUBLIC INFORMATION

- A. Name used by the inmate at the time of the conviction.
- B. Department identification number.
- C. Current institutional location (except safe keepers and boarder inmates).
- E. Sentence structure.
- H. Date of incarceration.
- I. Any pending criminal court action on record with the NDOC.

SUMMARY OF CHANGES

J. Parole board results available to the NDOC.

K. Age, gender, ethnicity based on the PSI.

2. The following staff information is public information:

A. PCN.

B. Work location.

3. Confidential inmate information that shall not be revealed to the public includes, but is not limited to:

B. Any and all medical information, including documentation or information on specific illnesses, medical or psychiatric diagnoses, participation in substance abuse treatment, notes that are medical or mental health in nature, physician's orders and progress notes, and medical billing information.

F. Individual inmate records including, but not limited to, I-files, grievances, medical, mental health, legal documents, inmate institutional behavior records, C-files, records covered under HIPAA, and cause of inmate death.

G. Personal information:

H. Any information not listed in 120.06, 1 and 2.

4. Requests for records containing inmate information will be referred to the Correctional Case Records Manager (CCRM) of the Offender Management Division (OMD).

5. Identification photos of inmates, if available, are public information.

B. An inmate's current photo will not be retaken for the sole purpose of providing photos to the media.

C. A photo may be faxed or emailed to a member of the media by the Warden of a facility, the PIO, the Director or Deputy Director.

6. News Media Inquiries Regarding Inmates

A. Inquiries regarding inmates confined at an institution or facility of the Department, will be answered by the PIO in a manner that conforms with the standards for confidentiality of inmate records as outlined in Administrative Regulation 569 and this regulation.

B. Correspondence regarding inmates who have been discharged and those on the out-of-state out count will be forwarded to OMD for response.

SUMMARY OF CHANGES

C. Correspondence regarding inmates on parole may be forwarded to the Department of Parole and Probation for response **or to assist the PIO with formulating a response to the media.**

D. Copies of approved media contact correspondence pertaining to **an inmate** shall be placed in the **Institutional (I-file) maintained by the Department for that inmate.**

8. C. The copying fee for production of Departmental records will be assessed utilizing the per page rate set forth within the NDOC Fee Schedule for Public Records Requests. The fee, if any, charged for the extraordinary use of NDOC personnel or technological resources as a result of the request will also be assessed utilizing the rates set forth within the NDOC Fee Schedule for Public Records Requests.

(1) The copying fee for production of medical records will be assessed utilizing the per page rate set by NRS 629.061.

D. The Department shall inform the requester of the amount of the copying fees assessed for production of Departmental records prior to processing the requested records, and provide the requestor with instructions regarding how the fees must be remitted.

(1) If any fees are to be assessed for the extraordinary use of NDOC personnel or technological resources as a result of a request for production of Departmental records that contain inmate information, the Department shall also inform the requestor of the amount of any such fees prior to processing the requested records.

E. The requester must remit a money order or check, payable to "Nevada Department of Corrections," for the entire and exact amount of the fees assessed prior to receiving the copies Departmental records that contain inmate information and/or medical records being made and/or delivered to the requestor.

F. The NDOC reserves the right to schedule and prioritize copying of Departmental records that contain inmate information and inmate medical records dependent upon department workload.

--Under section 120.07 APPROVAL OF INMATE MEDIA CONTACTS sentences in the old AR have been changed or deleted in the new AR. The changed section in the old AR read:

1. No member of the media, or public, has a right to a personal, face-to-face, interview or contact with an inmate. The Department reserves the right to determine all circumstances of any interview.

SUMMARY OF CHANGES

3. A. (1) Faxes will not be delivered to the inmate.
4. The Warden of the institution where the inmate to be interviewed is housed shall provide for reasonable access between inmates and the **communications** media, subject **only** to the limitations necessary to maintain order and security and protect inmates' privacy.
 - D. Inmates who are serving sanctions of disciplinary detention or disciplinary segregation shall not be allowed to be interviewed.
 - F. Wardens may limit the number of persons or amount of equipment entering the institution in support of the interview.
5. The Department is not responsible for the identification of specific inmate candidates for interviews on issues of interest to the media.
 - A. Staff shall not seek out inmates to be interviewed.
 - B. The media shall request to interview specific inmates.
6. Executions
 - A. Upon receiving notice that an execution has been scheduled, the PIO shall determine if the inmate wants to receive requests from the media for interviews.
 - B. The PIO shall contact the attorney for the inmate to determine whether he/she will approve media interviews for the inmate.
 - C. If the inmate and the attorney indicate that interviews will be considered, the PIO may make direct contact with the inmate when an interview is requested by a member of the media. This may be done without the required letters indicated in section 120.07.3 above.
 - D. The development of media witnesses for executions is the responsibility of the PIO for the Department of Corrections.
 - (1) All witnesses of executions must be approved by the Director.
 - (2) Courtroom artists will not be approved as media witnesses.
 - (3) Media witnesses will not be allowed to interview other witnesses to the execution on the prison grounds.
7. Media requests for access to the institution for the purpose of filming or photographing the facility will be forwarded to the Warden.

SUMMARY OF CHANGES

A. Photo opportunities shall not be approved which would result in an undue disruption of operational activities of the institution.

B. Wardens may limit the number of persons or amount of equipment entering the institution in support of the photo opportunity.

The changed sentences in the new AR read:

1. No member of the media, or public, has a right to a personal, face-to-face, interview or contact with an inmate. The Department reserves the right to determine all circumstances of any interview and **the Director's decision is final.**

3. A. (1) Faxes **and emails** will not be delivered to the inmate.

4. Contact with safe keepers and boarders will be reviewed on an individual basis.

5. The Warden of the institution/facility where the inmate to be interviewed is housed shall provide for reasonable access between inmates and the media, subject to the limitations necessary to maintain order and security and protect inmates' privacy.

D. Inmates who are serving sanctions of disciplinary detention, **are in administrative segregation, are in disciplinary segregation or who have been classified as High Risk Potential** shall not be allowed to be interviewed.

F. **The PIO and** Wardens may limit the number of persons or amount of equipment entering the institution/facility in support of the interview.

G. **The NDOC does not allow inmate interviews for entertainment purposes.**

H. **Requests to interview death row inmates will be reviewed on a case by case basis.**

7. Victim Notification. During the approval process for an interview between the media and an inmate, the PIO shall notify the NDOC Victim Services Unit to provide notification to registered victim(s). The Director may take into account the registered victim's comments prior to making a decision on granting the interview.

8. Executions. Media requests for attendance at executions will follow the procedures in the Execution Manual.

SUMMARY OF CHANGES

--Under section 120.08 CONDUCT OF MEDIA CONTACTS sentences in the old AR have been changed or deleted in the new AR. The changed section in the old AR read:

1. Prearranged media visits **should** occur during normal business hours.
2. An appropriate location shall be provided by the Warden, based on the nature of the contact.
3. Members of the media shall be accompanied by the Associate Warden of the institution to ensure compliance with this regulation, and to ensure the security of the media team.
4. Inmates with close or maximum custody will be interviewed in secure locations, and may be in restraints.
5. Interviews or photo opportunities **where inmates will be recognized**, will not commence until the inmate has signed a release Form DOC 3008. This form will be placed in the inmate's I-File.
6. **Inmates** who do not wish to be seen in the photo or film will be given an opportunity to withdraw from the area.
7. An inmate may terminate an interview at any time.
8. Media will not be taken to the scene of an ongoing incident **in which there is violence or the potential for violence**.
9. Wardens shall designate a location for media and the PIO to use during major incidents.
10. If inmate unrest or violence begins to develop or actually occurs during the media contact, then the media team is to be withdrawn from the area immediately.
11. Security activities or features used to contain, control, or recapture inmates will not be discussed with, or photographed by media. This includes but is not limited to:

The changed sentences in the new AR read:

1. Prearranged media visits **will** occur during normal business hours.
2. An appropriate location **for the media** shall be provided by the Warden, based on the nature of the contact.

SUMMARY OF CHANGES

3. Members of the media shall be accompanied by the **PIO/designee and the Warden/Associate Warden** of the institution/**facility** to ensure compliance with this regulation, and to ensure the security of the media team.
4. Inmates with close or maximum custody **designations** will be interviewed in secure locations and may be in restraints.
5. Interviews or photo opportunities **of the inmate who is the subject of the media story** will not commence until the inmate has signed a release Form DOC 3008. This form will be placed in the inmate's I-File.
6. Prior to filming, inmates who do not wish to be seen in the photo or film **but who will likely appear in the background** will be given an opportunity to withdraw from the area. **In the event another inmate is inadvertently depicted in the background, the media outlet should obscure the images of the background inmates or obtain release Form DOC 3008s from the background inmates.**
7. An inmate **and/or NDOC staff** may terminate an interview at any time.
8. Media will not be taken to the scene of an ongoing incident.
9. Wardens shall designate a location for media and the PIO to use during major incidents.
10. If inmate unrest or violence begins to develop or actually occurs during the media contact, then the media team is to be withdrawn from the area immediately.
11. Security activities or features used to contain, control, or recapture inmates will not be discussed with, **filmed**, or photographed by media. This includes but is not limited to:

SUMMARY OF CHANGES

AR 122 OFFICIAL CORRESPONDENCE

--Under RESPONSIBILITY the word official was added:

All employees of the Department are responsible for the management of **official** correspondence.

--Under 122.01 WRITTEN CORRESPONDENCE 3. This section has been added:

A. Only employees in positions of Deputy Directors, Division Heads and Wardens may adapt the Department letterhead to include their name and position in the upper right hand corner of the letterhead. The Director may approve exceptions on a case-by-case basis.

B. The Department letterhead may be adapted to include the administration, division or institutional addresses in the center area of the letterhead.

At the end of the AR, this has been deleted:

REFERENCES: AR 141

SUMMARY OF CHANGES

AR 223 INMATE ORGANIZATIONAL FUNDRAISERS

-- Under 223.03 PROCEDURES, section 2. COMPLIANCE; this wording has been added:

B. Each institution/facility may conduct a maximum of two (2) fundraisers per organization per calendar year to benefit a 501(c)(3) organization.

C. Each institution/facility may conduct one (1) fundraiser each year with the sole purpose of raising funds to maintain or repair gym equipment for the institution/facility.

SUMMARY OF CHANGES

AR 258 INMATE FISCAL PROCEDURES

There were minimal changes made to this AR.

The amount of \$200.00 was increased to \$400.00 in the four places it is mentioned in the AR.

--Under 258.07 INMATE DEDUCTIONS FROM ANY SOURCE OTHER THAN WAGES some words were removed. The changed sentence in the old AR read:

B. 10% for credit to the inmate's interest bearing savings account. After the savings account reaches \$200.00, this deduction will stop with the exception of CGTH and NNRC residents who will continue to accrue 10% of their payrolls into their respective savings accounts.

The changed sentences in the new AR reads:

2. 10% for credit to the inmate's account. After the Savings Account reaches \$400.00, this deduction will stop with the exception of CGTH and NNRC inmates who will continue to accrue 10% of their deposits into their respective Savings Accounts.

Under 258.13 INMATE FISCAL INQUIRY PROCEDURE number 4 a sentence was removed: For copies of cancelled checks older than 90 days, the inmate will incur a bank charge of \$10.00 per check.

The changed sentences in the new AR reads:

4. If an inmate is requesting copies of, but not limited to, cancelled checks, brass slips, kites, and statements older than the current month's period, the inmate will be charged \$2.00 for each copy. Inmate statements are sent out after month end so some leeway will be considered to allow for mail time before a charge is assessed. A kite and a brass slip must accompany a copy request, both signed by the inmate and an authorized Department representative pursuant to section 258.12.2. If an inmate does not have sufficient funds to cover the cost, the inmate will be notified that his/her request was denied.

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Numerous changes have been made to this AR and three ARs have been incorporated into this AR. The incorporated ARs are:

AR 340, Employee Complaint Reporting and Investigation
AR 341, Employee Misconduct and Performance Adjudication
AR 343, Imposing Corrective/Disciplinary Action

--The title of the AR has changed in the new AR.

The title in the old AR read:

“AR 339, CODE OF ETHICS **EMPLOYEE** CONDUCT PROHIBITIONS AND PENALTIES”

The title in the new AR reads:

“AR 339, **EMPLOYEE** CODE OF ETHICS **AND** CONDUCT, **CORRECTIVE OR DISCIPLINARY ACTION, AND** PROHIBITIONS AND PENALTIES”

--The references listed in the AUTHORITY section of the old AR have been changed in the new AR. The references listed in the old AR read:

“Any and all relevant NRS and NAC including but not limited to: NRS Chapters 284 & 289; NRS 199.325; NRS 281.481; NAC 284.638 - 284.656; NAC 284.738 - 284.771”

The references in the AUTHORITY section of the new AR now reads:

“**NRS 209.131, .239; NRS Chapters 284 & 289; NRS 281A.400; NAC 284.638 -.656; 284.548, 284.738 -.771, 42 U.S.C. § 15601, et seq. and 28 C.F.R. Part 115**”

--A sentence in the RESPONSIBILITY section of the old AR has been changed in the new AR. The changed sentence in the old AR read:

“The Director has **the final and overall** responsibility for administering employee discipline.”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

The sentence in the RESPONSIBILITY section of the new AR now reads:

“The Director/Designee **has responsibility** for administering employee discipline.”

--Paragraphs that were not in the old AR have been added to the RESPONSIBILITY section of the new AR. **The added paragraphs in the new AR read:**

“The Appointing Authorities are responsible for enforcement of this Administrative Regulation (AR), utilizing the appropriate state forms. Additionally, the primary responsibility for ensuring that complaint allegations are properly referred and investigated rests with each Warden/Division Head who becomes aware of the complaint or allegation of employee misconduct.”

“The Department’s Human Resources Division is responsible to provide each permanent classified employee with a copy of this AR and maintain records of distribution. The Human Resources Division is also responsible for tracking disciplinary actions and maintaining employee personnel files.”

“The IG is responsible for and oversees all investigations. The IG will maintain the investigative case file, including copies of related attachments associated with the complaint.”

“The Warden/Division Heads are responsible to review completed misconduct complaint investigations and adjudicate subordinate employee culpability, making recommendations for corrective or disciplinary action.”

--Sentences that were in the RESPONSIBILITY section of the old AR have been removed from the new AR. The sentences that were removed from the new AR read:

“The overall responsibility for compliance with the provisions set forth in this Administrative Regulation (AR) has been delegated by the Director to the Appointing Authorities.”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“The Wardens/Division Heads are responsible to ensure compliance with this Administrative Regulation and to ensure that non-compliance with this procedure is reported and addressed in a timely manner.”

“All Wardens/Division Heads are responsible to distribute, post, and ensure accessibility and compliance with this AR.”

“The Department Human Resources Division is responsible to ensure all new employees receive a copy of this AR and sign acknowledgment of such.”

--Sentences that were in the RESPONSIBILITY section of the old AR have been changed in the new AR. The sentences that were changed in the old AR read:

“All Department employees are responsible to comply with this procedure at all times. All Department employees are responsible to make appropriate notifications concerning incidents, activities, or events of immediate interest or concern which take place within the jurisdiction of, or which impact, the Department.”

“The Employee Development Manager is responsible to develop and deliver training on this AR.”

The changed sentences in the RESPONSIBILITY section of the new AR now read:

“All Department employees are responsible to comply with this AR at all times. This includes immediately reporting any alleged act of employee misconduct to a supervisor.”

“The Employee Development Manager, in conjunction with the Inspector General (IG), is responsible to develop and deliver training on this AR.”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--AR 339 contains a list of principles in the section titled CODE OF ETHICS. Three of the principles listed in the old AR have been changed in the new AR. The changed principles in the old AR read:

“Whether on or off duty, in uniform or not, employees shall conduct themselves in a manner that **will not bring** discredit or embarrassment to the Department of Corrections and the State of Nevada.”

“Employees shall maintain confidentiality of information that has been **entrusted to them and designated as such.**”

“Employees shall not sexually harass or condone sexual harassment with or **against any person.**”

The changed principles in the new AR now reads:

“Whether on or off duty, in uniform or not, employees shall conduct themselves in a manner that **will not tend to bring** discredit or embarrassment to the Department of Corrections and the State of Nevada.”

“Employees shall maintain confidentiality of information that has been **entrusted to them.**”

“Employees shall not sexually harass or condone sexual harassment with or against any person, **including but not limited to any inmate, employee, volunteer, vendor, or any member of the public.**”

--The section titled **EMPLOYEE LIABILITY** that was in the old AR has been removed from the new AR.

--Sentences in the old AR have been changed in the new AR. The changed sentences in the old AR read:

“All Department employees are responsible, at all times, to conduct themselves in an appropriate manner, with honor, **integrity and impartiality**, whether on or off duty, to obey and support the letter and spirit of the law, and to always exercise appropriate self-discipline in the use of the power and authority entrusted to them.”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“The penalty imposed for a violation of 339.04 Class of Offense Guidelines (18. U.), can range from a CLASS 1 – 5 violation depending upon the facts and circumstances of the particular case.”

“Under the law Peace Officers are expected to abide by the laws they are empowered to enforce. **Employees** will obey all laws of the U.S., State of Nevada, and ordinances in force in their jurisdiction. Violations of law, or an indictment, or information filed against an officer or a conviction **will** be cause for disciplinary action up to and including termination from employment.”

The changed sentences in the new AR now read:

“All Department employees are responsible, at all times, to conduct themselves in an appropriate manner, with honor, **integrity, and impartiality**, whether on or off duty, to obey and support the letter and spirit of the law, and to always exercise appropriate self-discipline in the use of the power and authority entrusted to them.

“The penalty imposed for a violation of 339.07 Class of Offense Guidelines (18. R.), can range from a CLASS 1 – 5 violation depending upon the facts and circumstances of the particular case.”

“Under the law Peace Officers are expected to abide by the laws they are empowered to enforce. **Peace Officer employees** will obey all laws of the U.S., State of Nevada, and ordinances in force in their jurisdiction. Violations of law, an indictment or information filed against an officer, or a conviction **can** be cause for disciplinary action up to and including termination from employment, **especially where off-duty conduct tends to bring the Department into public discredit or which tends to affect the employee’s ability to perform assigned duties efficiently. Employees must also be careful that the authority vested in them as Peace Officers is not abused.**”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Three sections that were not in the old AR have been added to the new AR. The added sections in the new AR are titled:

339.03 GOALS OF CORRECTIVE AND DISCIPLINARY MEASURES

339.04 REPORTING COMPLAINTS OR MISCONDUCT

339.05 INVESTIGATIONS

--A paragraph in the old AR has been changed in the new AR. The changed paragraph in the old AR read:

“Appointing Authorities and employees must recognize that penalty schedules cannot accurately, fairly, or consistently address every **situation**. Appointing Authorities must conduct an individual analysis of each employee for each incident and exercise their professional judgment and discretion, **then recommend a penalty based upon the need to modify the employee’s behavior, set expectations for other employees, and maintain the public trust. There is no requirement that charges similar in nature must result in identical penalties.**”

The changed paragraph in the new AR now reads:

“Appointing Authorities and employees must recognize that penalty schedules cannot accurately, fairly, or consistently address every **situation; a comprehensive list of DOs and DON’Ts of employee conduct is not possible**. Appointing Authorities must conduct an individual analysis of each employee for each incident and exercise their professional judgment and discretion **in recommending a penalty. Training, education, actions, awards, and punishments are interrelated, not separate elements.**”

--Sentences that were not in the old AR have been added to the new AR. The added sentences in the new AR read:

“There is no requirement that charges similar in nature must result in identical penalties. Employees sometimes incorrectly equate fairness and consistency as synonyms; they are not.

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

A. Consistency within a disciplinary system means holding every employee equally accountable for unacceptable behavior. Unacceptable behavior for one is unacceptable behavior for all, regardless of rank, status, or tenure.

B. Fairness within a disciplinary system means understanding the numerous circumstances that could contribute to the unacceptable behavior. Disciplinary recommendations must consider these circumstances. Thus, two employees accused of the same misconduct could face different consequences.”

“Failure to report, failure to act, or failure to disclose is considered misconduct.”

“Conflicting activities pursuant to NAC 284.738 include but are not limited to any activity prohibited by AR 332, Employee Reporting Responsibilities; AR 345, Unauthorized Relationships; AR 346, Nepotism; AR 347, Political Activities by Employees; and AR 355, Employee Secondary Employment.”

--A sentence in the old AR has been changed in the new AR. The changed sentence in the old AR read:

“The Department has developed a Class of Offense Guide which describes prohibited employee conduct and a Chart of Corrective/Disciplinary Sanctions which prescribes recommended penalties for inappropriate conduct.”

The changed sentence in the new AR now reads:

“The Department has developed Class of Offense Guidelines which describe many prohibited employee actions and a Chart of Corrective/Disciplinary Sanctions which recommends penalties for inappropriate conduct.”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, a new offense has been added to the **ABSENT WITHOUT LEAVE (AWOL)** category. The new offense reads:

“Any absence without approved leave short of three consecutive scheduled working days. CLASS 2-4”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, an offense has been changed in the **DISCHARGE OF FIREARM DUE TO NEGLIGENCE** category. The offense in the old AR read:

“Discharge of firearm due to negligence, with substantial injury/damage.
CLASS 4”

The changed offense in the new AR now reads:

“Discharge of firearm due to negligence, with substantial injury/damage.
CLASS 4-5”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses have been changed in the **ALCOHOL ABUSE** category. The offenses in the old AR read:

“Purchase or consumption of alcohol while in uniform when off duty.
CLASS 2”

“Purchase or possess alcoholic beverage on duty. **CLASS 3**”

“Damaging State property while under the influence of alcoholic beverages.
CLASS 4”

The changed offenses in the new AR now read:

“Purchase or consumption of alcohol while in uniform when off duty.
CLASS 3”

“Purchase or possess alcoholic beverage on duty. **CLASS 4**”

“Damaging State property while under the influence of an alcoholic beverage. **CLASS 4-5**”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses have been changed in the **NARCOTICS/DRUGS** category. The offenses in the old AR read:

“An employee driving under the influence in violation of **NRS 484.379** or of any other offense for which driving under the influence is an element of the offense, and the offense occurred while driving a state vehicle, or a privately owned vehicle on state business. **CLASS 4**”

“Knowingly transport any person to buy/obtain **any controlled** substance, narcotic, and/or drug. **CLASS 4**”

The changed offenses in the new AR now read:

“An employee driving under the influence in violation of **NRS 484C.010 et seq.** or of any other offense for which driving under the influence is an element of the offense, and the offense occurred while driving a state vehicle or a privately owned vehicle on state business. **CLASS 4-5**”

“Knowingly transport any person to buy/obtain **any illegal controlled** substance, narcotic, and/or drug. **CLASS 4**”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **CRIMINAL MISCONDUCT** category. The offenses in the old AR read:

“An employee who is convicted of driving under the influence in violation of **NRS 484.379** or of any other offense for which driving under the influence is an element of the offense while driving a state vehicle, or a privately owned vehicle on state business. **CLASS 5**”

“Guilty plea of any type (Alford, no contest, etc.) or conviction of a felony, gross misdemeanor, or misdemeanor. **CLASS 4**

Provided the conduct at issue has an adverse impact upon the Department and/or **negatively reflects upon the image of the State of Nevada or the Department of Corrections.*”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Reasonable belief that a felony, gross misdemeanor, or misdemeanor has been committed. CLASS 4

**Provided the conduct at issue has an adverse impact upon the Department and/or negatively reflects upon the image of the State of Nevada or the Department of Corrections.”*

The changed offenses in the new AR now read:

“An employee who is convicted of driving under the influence in violation of **NRS 484C.010 et seq.** or of any other offense for which driving under the influence is an element of the offense while driving a state vehicle, or a privately owned vehicle on state business. **(See NAC 284.653.) CLASS 4-5 Second offense within 5 years. CLASS 5”**

“Guilty plea of any type (Alford, no contest, etc.) or conviction of a felony, gross misdemeanor, or misdemeanor. CLASS 4 Provided the conduct at issue has an adverse impact upon the Department and/or **tends to bring the Department into public discredit which tends to affect the employee’s ability to perform duties efficiently.**

“Reasonable belief that a felony, gross misdemeanor, or misdemeanor has been committed. CLASS 4 Provided the conduct at issue has an adverse impact upon the Department and/or **tends to bring the Department into public discredit which tends to affect the employee’s ability to perform duties efficiently.**”

-- Under the CLASS OF OFFENSE GUIDELINES, an offenses that was in the **CRIMINAL MISCONDUCT** category in the old AR has been removed in the new AR. The removed offense that was in the old AR read:

“Any sexual contact/conduct with an inmate under the supervision of the Department, including but not limited to, oral sexual contact or sexual intercourse, masturbation, homosexual acts, or physical contact with the clothed or unclothed genitals or pubic area to arouse, appeal to or gratify sexual desires. CLASS 5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **DISCOURTESY** category. The offenses in the old AR read:

“Discourteous or improper remark **to a co-worker.** CLASS 2”

“Discourteous or improper remark **to a member of the public.** CLASS 2”

The changed offenses in the new AR now read:

“Discourteous or improper remark **to a member of the public or a co-worker.** CLASS 2”

----Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses that were in the old AR have been removed from the **DISCOURTESY** category in the new AR. The removed offenses in the old AR read:

“**Inappropriate gesture or touching.** CLASS 2”

“**Verbal threats toward a staff member.** CLASS 3”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **DISCRIMINATION/SEXUAL HARASSMENT AND OTHER TITLE VII VIOLATIONS** category. The offenses in the old AR read:

““Sexual Harassment” **as** defined pursuant to NAC 284.771.”

“Therefore, depending on the nature, severity, and duration of conduct in violation of Title VII, NDOC should impose prompt disciplinary sanctions ranging from a CLASS 1 to a CLASS 5 **in accordance with NAC 284.771.**”

“NDOC is required by Title VII to ensure that no discrimination occurs in the workplace. As part of this responsibility, NDOC must **promptly discipline employees engaging in unlawful conduct to assure that the individual involved** stops the discriminatory behavior as well as discouraging other employees who might engage in such behavior from doing so.”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Refer to NAC 284.771.

- (1) Discriminating against or harassing another person because of that person's race, color, religion, sex, sexual orientation, age, disability, gender identity or expression, or national origin. CLASS 4
- (2) Make a prohibited discriminatory remark at work or in the work related environment. CLASS 4
- (3) Display photographs, cartoons, jokes, social network postings of a discriminatory nature at work or in the work related environment. CLASS 4”

The changed offenses in the new AR now read:

““Sexual Harassment” is defined pursuant to NAC 284.771. Therefore, depending on the nature, severity, and duration of conduct in violation of Title VII, NDOC should impose prompt disciplinary sanctions ranging from a CLASS 3 to a CLASS 5.”

“NDOC is required by Title VII to ensure that no discrimination occurs in the workplace. As part of this responsibility, NDOC must provide a system for reporting, prompt investigation, and discipline of employees engaging in unlawful conduct. The goal is to ensure that the alleged harasser stops the discriminatory behavior as well as discouraging other employees who might engage in such behavior from doing so.”

“Refer to NAC 284.771.

- (1) Discriminating against or harassing another person because of that person's race, color, religion, sex, sexual orientation, age, disability, gender identity or expression, or national origin. CLASS 4-5
- (2) Make a prohibited discriminatory remark at work or in the work related environment. CLASS 4-5

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

(3) **Display of discriminatory photographs, cartoons, jokes, or other comments** of a discriminatory nature at work or in the work related environment. **CLASS 4-5** (While the NDOC cannot control your personal postings on a social networking site, any inappropriate materials from such a site re-posted in any work-related environment can lead to charges under this section. Similarly, “photo-shopping” an image of a co-worker in a discriminatory fashion can lead to charges under this section.)”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **DISHONESTY** category. The offenses in the old AR read:

“Theft, misappropriation, or other fraudulent activity involving Department or State funds, property, **or resources**. CLASS 5”

“Converting found, recovered or seized property to personal use. **CLASS 2**”

The changed offenses in the new AR now read:

Theft, misappropriation, or other fraudulent activity involving Department or State funds, property, **or resources, including but not limited to falsification of a timesheet**. CLASS 5”

“Converting found, recovered or seized property to personal use. **CLASS 2-5**”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, an offense in the new AR has been changed in the **FALSE OR MISLEADING STATEMENTS** category. The changed offense in the old AR read:

“Knowingly providing false or misleading **statements, either** verbally or in written reports or other documents, concerning actions related to the performance of official duties **or providing false or misleading statements in response** to any question or request for information in any *official* investigation, interview, hearing or judicial proceeding. CLASS 5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

The changed offense in the new AR now reads:

“Knowingly providing false or misleading statements, **including omissions**, either verbally or in written reports or other documents, concerning actions related to the performance of official duties. Or **knowingly** providing false or misleading statements, **including omissions**, in response to any question or request for information in any *official* investigation, interview, hearing or judicial proceeding. CLASS 5”

--Under the CLASS OF OFFENSE GUIDELINES, an offense that was in the old AR in the **FALSE OR MISLEADING STATEMENTS** category has been removed from the new AR. The removed offense in the old AR read:

“**Knowingly providing false/misleading statements to a supervisor. CLASS 4**”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, an offense in the new AR has been changed in the **IMPROPER POLITICAL ACTIVITY** category. The changed offense in the old AR read:

“Soliciting and/or influencing any employee to engage or not engage in any political activities with direct or indirect use of any threat, intimidation or coercion, **including** threats of discrimination, reprisal, force or any other adverse consequence including loss of any benefit, reward, promotion, advancement or compensation. CLASS 5”

The changed offense in the new AR now reads:

“Soliciting and/or influencing any employee to engage or not engage in any political activities with direct or indirect use of any threat, intimidation, or **coercion. This includes** threats of discrimination, reprisal, force, or any other adverse consequence including loss of any benefit, reward, promotion, advancement, or compensation. CLASS 5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, an offense that was not in the old AR has been added to the **INSUBORDINATION** category. The added offense in the new AR reads:

“Disobeying or refusing to obey a statute, regulation, written or verbal instruction, or lawful order. CLASS 4-5”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, an offense in the new AR has been changed in the **INSUBORDINATION** category. The changed offense in the old AR read:

“Disobeying or refusing to obey, a statute, regulation, written instruction or lawful order wherein no security breach occurs is a CLASS 4 Any disobeying or refusing to obey, including but not limited to refusal to work mandatory overtime, which results in mandatory staffing levels not being met, a breach that leads to any injury to a person, or resulting in another type of security breach. Class 5”

The changed offense in the new AR now reads:

“Disobeying or refusing to obey a statute, regulation, written or verbal instruction, or lawful order, involving a potential or an actual security breach, especially which leads to personal injury. CLASS 5”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **INSUBORDINATION** category. The changed offenses in the old AR read:

“Argue about the wisdom or propriety of a lawful order or decision. CLASS 2”

“Failure to provide identification or display proper I.D. CLASS 1”

“Unauthorized representation of Department. CLASS 2”

“Disobeying the State of Nevada smoking statutes. CLASS 1”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

The changed offenses in the new AR now read:

“Argue about the wisdom or propriety of a lawful order or **decision; back-talking**. CLASS 2”

“Failure to provide identification or display proper I.D. CLASS **1-2**”

“Unauthorized representation of Department. CLASS **2-5**”

“Disobeying the State of Nevada smoking statutes **and/or Department tobacco prohibition regulations**. CLASS 3”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, two offenses that were not in the old AR have been added to the new AR in the **INSUBORDINATION** category. The added offenses in the new AR read:

“**Use of profane, disparaging, or abusive language directed at, with, to and/or around or to otherwise make another employee(s) aware of an attempt to embarrass, ridicule or degrade a supervisor of the institution, Department or State of Nevada Service. CLASS 3-5**”

“**Refusal to work mandatory overtime. CLASS 3 Any subsequent refusal. CLASS 4-5**”

--Under the CLASS OF OFFENSE GUIDELINES, in the new AR a sentence that was not in the old AR has been added just before the offenses in the **MISUSE OR UNAUTHORIZED USE OF STATE PROPERTY** category. The added sentence in the new AR reads:

“Behavior under this category may also subject the employee to civil or compensatory penalties or criminal prosecution.”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **MISUSE OR UNAUTHORIZED USE OF STATE PROPERTY** category. The changed offenses in the old AR read:

“Damage to or loss of State property or **equipment - neglect or carelessness**. CLASS 1”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Unauthorized use, misuse, or waste of property belonging to the State or Department. CLASS 2”

“Improper use of Department **communications systems**. CLASS 4”

“**Employees shall not permit** inmates to use Department telephones, or be in an area unsupervised where staff telephones are accessible, except as otherwise authorized by administrative regulations. CLASS 4”

“Intentional destruction, damage to or loss of property or State equipment. CLASS 4”

The changed offenses in the new AR now read:

“Damage to or loss of State property or **equipment due to neglect** or carelessness. CLASS 2-5”

“Unauthorized use, misuse, or waste of property belonging to the State or Department. CLASS 2-5”

“Improper use of Department **communications or information systems**. CLASS 4”

“**Permitting** inmates to use Department telephones, or be in an area unsupervised where staff telephones are accessible, except as otherwise authorized by administrative regulations. CLASS 4”

“Intentional destruction, damage to or loss of property or State equipment. CLASS 4-5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, an offense that was not in the old AR has been added to the new AR in the **MISUSE OR UNAUTHORIZED USE OF STATE PROPERTY** category. The added offense in the new AR reads:

“Loss of or damage to inmate property caused by an employee of the Department which is attributable to negligence, lack of reasonable care, failure to follow proper procedures or misconduct on the part of the employee. CLASS 2-4”

--Under the CLASS OF OFFENSE GUIDELINES, in the new AR sentences that were in the old AR have been removed just before the offenses in the **COMPUTER USAGE VIOLATIONS** category. The removed sentences that were in the old AR read:

“AR 143: An inmate shall not work on or with any computer, computer system or information system that is connected, in any way, to any network, or that is equipped with a modem, network card, or similar device, which would permit data communications or communications of any type with a person or device outside a Department facility. Failure to comply will result in disciplinary action up to and including termination.”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **COMPUTER USAGE VIOLATIONS** category. The changed offenses in the old AR read:

“Unauthorized or Improper use or copying of proprietary software, electronic file, program, or data without authorization. CLASS 4”

“Unauthorized use of Department data or programs for other than the administration of Department duties, responsibilities, and business. CLASS 2”

“The inappropriate introduction or use of unauthorized computer hardware or software, including the downloading to Department computers of inappropriate or unauthorized materials from any source. CLASS 2”

“Accessing Department computers using another employee’s password. CLASS 3”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

The changed offenses in the new AR now read:

“Unauthorized or improper use or copying of proprietary software, electronic file, program, **or data**. CLASS 4-5”

“Unauthorized **use or distribution** of Department data or programs for other than the administration of Department duties, responsibilities, and business. CLASS 3-5”

“**The introduction** or use **of computer** hardware or software **to or on** Department computers **or systems, including but not limited to, downloading any such materials without prior authorization**. CLASS 3-5”

“**Using another employee’s password to access** Department computers. CLASS 3”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **COMPUTER USAGE VIOLATIONS** category. The changed offenses in the old AR read:

“**Providing your** password to any other person. CLASS 3”

“**Inappropriate use** of Department e-mail or internet system **that includes, use** which violates any Administrative Regulation, Policy or Procedure, **use for** purposes not directly related to Department duties, unauthorized use to access and/or distribute computer games unrelated to the Department mission. CLASS 3”

“**Inappropriate use of Department e-mail or internet system that includes, use which violates any Law, use in any for-profit endeavor** unrelated to Department duties, **use for private business including commercial advertising, unauthorized fund-raising or public relations**. CLASS 4”

“**Use of Department** equipment for gambling. CLASS 5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

The changed offenses in the new AR now read:

“Providing or exposing your password to any other person. CLASS 3”

“Use of State or Department e-mail, intranet, or Internet system which violates any statute, regulation, Administrative Regulation, policy or procedure for purposes not directly related to Department duties or unrelated to the Department mission. This includes activities such as access to or distribution of computer games or use for private business. CLASS 3-4”

“Use of State or Department equipment for gambling. CLASS 5”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **COMPUTER USAGE VIOLATIONS** category. The changed offenses in the old AR read:

“Use for access to and/or distribution/copying of indecent, adult, offensive or obscene material. CLASS 5”

“Forge a digital signature. CLASS 5”

“Inmates shall never be permitted to have access to privileged, confidential, or sensitive information contained on a computer. Employees should not access such information on their computer screens with inmates in the vicinity. CLASS 4”

“Inmates shall never be left unsupervised in any area which contains privileged, confidential, or sensitive information which is not properly secured. CLASS 5”

“Improperly permitting an inmate to work on or use any computer, computer system, or information system that is connected in any way to a network or that is equipped with a modem, network card or similar device to permit communication outside a Department facility. CLASS 5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

The changed offenses in the new AR now read:

“Use for access to or distribution of pornographic material as defined by NAC 284.646(4). CLASS 5”

“Forging a digital signature. CLASS 5”

“Permitting an inmate to have access to privileged, confidential, or sensitive information contained on a computer. Employees should not access such information on their computer screens with inmates in the vicinity. CLASS 4”

“Leaving an inmate unsupervised in any area containing access to privileged, confidential, or sensitive information on an unsecured computer. CLASS 5”

“Improperly permitting an inmate to work on, use, or otherwise access any computer, computer system, or information system of the State or the Department so that:

(1) the inmate may be connected in any way to a modem, network or similar device which would allow communication outside a Department facility;

(2) the inmate may collect, organize, or otherwise use personal, Department, or State proprietary or confidential information; OR

(3) the inmate participates in providing technical or other assistance with a computer problem. CLASS 5”

--Under the CLASS OF OFFENSE GUIDELINES, in the new AR sentences that were in the old AR have been removed just before the offenses in the COMPUTER USAGE VIOLATIONS category. The removed sentences that were in the old AR read:

“Misrepresenting oneself on the Internet as another person without authorization. CLASS 3”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Under the CLASS OF OFFENSE GUIDELINES, in the new AR sentences that were not in the old AR have been added to the new AR just before the offenses in the **COMPUTER USAGE VIOLATIONS** category. The added sentence that were not in the old AR read:

“Failure to secure your Department computer, or accessing a Department computer which has been left unsecured. CLASS 3”

“Purposefully circumventing State or Department internet security for any reason including but not limited to accessing unauthorized internet web sites. CLASS 3-4”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **NEGLECT OF DUTY** category. The changed offenses in the old AR read:

“Failure to take corrective action when warranted. CLASS 1”

“Conducting outside/personal business on State time. CLASS 2”

“Disregard of safety rules. CLASS 2”

“Failure to appear for court or a hearing when duly notified or subpoenaed. CLASS 2”

“Loss of seized, found, or recovered property by negligence. CLASS 1”

“Failure to report misconduct, or failure to report or notify supervisor concerning incidents, activities, or events of immediate interest or concern which take place within the jurisdiction of, or which impact, the Department. CLASS 3”

The changed offenses in the new AR now read:

“Failure to take corrective action when warranted. CLASS 1-2”

“Conducting outside/personal business on State time. CLASS 2-3”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Disregard of safety rules. CLASS 2-4”

“Failure to appear for court or a hearing when duly notified or subpoenaed. CLASS 3”

“Loss of seized, found, or recovered property by negligence. CLASS 1
Willful failure to appropriately identify and secure such property. CLASS 2”

“Failure to report misconduct, or failure to report or notify supervisor concerning incidents, activities, events of immediate interest or concern, or matters impacting PREA which take place within the jurisdiction of, or which impact, the Department. CLASS 1-5”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **NEGLECT OF DUTY** category. The changed offenses in the old AR read:

“Failure to report an arrest or conviction of any misdemeanor, gross misdemeanor, or felony within 5 working days. CLASS 2”

“Failure to report a violation of a traffic law when a driver’s license is a requirement of the position. CLASS 2”

“Failure to comply with any court order or judgment. CLASS 3”

“Failure to perform security functions. CLASS 4”

“Failure to Discharge Duties - intentionally failing to discharge custodial responsibility provided that failure results in (a) escape of a prisoner or (b) the serious physical injury or death of another person. CLASS 5”

The changed offenses in the new AR now read:

“Failure to report an arrest or conviction of any misdemeanor, gross misdemeanor, or felony within 24 hours or before the beginning of their next shift. CLASS 2”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Failure to report **suspension or revocation of a driver’s license when a valid driver’s** license is a requirement of the position. CLASS 2”

“Failure to comply with any court order or judgment. CLASS **3-5**”

“Failure to perform security functions, **violation of any safety rule, or violating or endangering the security of an institution.** CLASS **4-5**”

“**Intentional failure to** discharge duties, whether custodial or other job responsibilities, provided that failure results in (a) escape of a prisoner (b) **the serious physical injury (c) sexual assault or (d) death of another person.** CLASS 5”

--Under the CLASS OF OFFENSE GUIDELINES, an offense that was in the old AR has been removed from the new AR in the **NEGLECT OF DUTY** category. The removed offense in the old AR read:

“**Security Violation – Jeopardizing the security of the institution.** CLASS 5”

--Under the CLASS OF OFFENSE GUIDELINES, an offense in the old AR has been changed in the new AR in the **NEGLECT OF DUTY** category. The changed offense in the old AR read:

“**Engage** in any act or communicating information in any fashion that could assist any individual to escape arrest, detention and/or punishment, or enables any individual to dispose of or **secrete** evidence. CLASS 5”

The changed offense in the new AR now reads:

“**Engaging** in any act or communicating information in any fashion that could assist any individual to escape arrest, detention and/or punishment, or enables any individual to dispose of or **conceal** evidence. CLASS 5”

--Under the CLASS OF OFFENSE GUIDELINES, offenses that were in the old AR have been removed from the new AR in the **NEGLECT OF DUTY** category. The removed offenses in the old AR read:

“**Failure to report an inmate’s sexual activity.** CLASS 5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Failure to report contact with law enforcement (other than in matters involving routine traffic stops, random automobile stops and road blocks, and other than in cases involving the rendering of assistance to law enforcement) or having been notified that employee is the subject of a criminal investigation, or that a criminal investigation is proceeding against employee. CLASS 2”

--Under the CLASS OF OFFENSE GUIDELINES, the category title that was **SEXUAL MISCONDUCT** in the old AR, has been changed to **SEXUAL ABUSE** in the new AR.

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **SEXUAL ABUSE** category. The changed offenses in the old AR read:

“Any sexual contact including but not limited to, oral sexual contact or sexual intercourse, masturbation, homosexual acts, or physical contact with the clothed or unclothed genitals or pubic area to arouse, appeal to or gratify sexual desires involving any individual other than an inmate on State time and/or involving State property or equipment. CLASS 5”

“Custodial Sexual Misconduct is any behavior or act of a sexual nature, either consensual or non-consensual, directed toward an inmate by an employee, volunteer, contractor, official visitor, or agency representative. These acts include but are not limited to:

- (1) Unauthorized, intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse or gratify sexual desire; or
- (2) Unauthorized, intentional touching, fondling, or caressing of an inmate’s person, directly or indirectly, related to a “romantic” relationship;
- (3) Completed, attempted, threatened, or requested sexual acts; or
- (4) Occurrences of indecent exposure, invasion of privacy or staff voyeurism for sexual gratification.”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

The changed offenses in the new AR now read:

“Any sexual contact including but not limited to, oral sexual contact, **including kissing any body part** or sexual **penetration**, masturbation, or physical contact with the clothed or unclothed genitals or pubic area to arouse, appeal to or gratify sexual desires involving any individual other than an inmate on State time and/or involving State property or equipment. CLASS 5”

“Custodial Sexual **Misconduct defined as sexual abuse is** any behavior or act of a sexual nature, either consensual or non-consensual, directed toward an inmate by an employee, volunteer, contractor, official visitor, or agency representative. These acts include but are not limited to:

- (1) Unauthorized, intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse or gratify sexual desire;
- (2) Unauthorized, intentional touching, fondling, or caressing of an inmate’s person, directly or indirectly, related to a “romantic” relationship;
- (3) Completed, attempted, threatened, or requested sexual acts; or
- (4) Occurrences of indecent exposure, invasion of privacy or staff voyeurism for sexual gratification. CLASS 5”

Voyeurism by a staff member, contractor, or volunteer is defined as: invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate’s naked body or of an inmate performing bodily functions.

C. Staff on inmate sexual harassment includes staff, volunteers, or contractors who have contact with an inmate. Prohibited conduct includes but is not limited to repeated instances of:

- (1) Verbal comments of a sexual nature to an inmate;**

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

(2) Demeaning references to gender;

(3) Sexually suggestive or derogatory comments about body or clothing;
or

(4) Profane or obscene language or gestures. CLASS 5

D. Failure to report an inmate's sexual activity. CLASS 5

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **UNAUTHORIZED USE OF FORCE** category. The changed offenses in the old AR read:

“Willfully employing or permitting the use of unnecessary, unauthorized, or excessive force. CLASS 4”

“Failing to report any use of force either as a participant or a witness. CLASS 3”

The changed offenses in the new AR now read:

“Willfully employing or permitting the use of unnecessary, unauthorized, or excessive force. CLASS 4-5”

“Failing to report any use of force either as a participant or a witness. CLASS 3-4”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **UNBECOMING CONDUCT** category. The changed offenses in the old AR read:

“Compromising the confidentiality of inmate affairs. CLASS 3”

“Conducting **unauthorized business transactions** with an inmate or an inmate's family. CLASS 5”

“Transmitting prohibited **messages for** inmates. CLASS 3”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Identified self, displayed badge or **identification, or made** improper use of your status as a Department employee other than is necessary, whether on or off duty. CLASS **5**”

“Retaliated against another employee for reporting a complaint of misconduct. CLASS **3**”

The changed offenses in the new AR now read:

“Compromising the confidentiality of inmate affairs. CLASS **3-5**”

“Conducting **unauthorized transactions** with an inmate or an inmate’s family. CLASS 5”

“Transmitting prohibited **messages to or for** inmates. CLASS **3-5**”

“Identified self, displayed badge or identification, **appeared in uniform,** or made improper use of your status as a Department employee other than is necessary, whether on or off duty. CLASS **2-5**”

“Retaliated against another employee for reporting a complaint of misconduct. CLASS **4-5**”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **UNBECOMING CONDUCT** category. The changed offenses in the old AR read:

“Engaging in horseplay with **inmates and/or co-workers.** CLASS 3”

“Gambling on State property or while on duty. CLASS 2”

The changed offenses in the new AR now read:

“Engaging in horseplay **with co-workers.** CLASS 3 **With inmates. CLASS 4-5**”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

“Gambling on State property or while on duty **or gambling while in uniform.**
CLASS 2”

--Under the CLASS OF OFFENSE GUIDELINES, offenses that were in the old AR have been removed from the new AR in the **UNBECOMING CONDUCT** category. The removed offenses that were in the old AR read:

“Borrowing from or lending to an inmate something of value. CLASS 2”

“Activities or relationships between Department staff and all persons currently or formerly under the supervision of the Department, or the jurisdiction of a criminal justice agency and their families, outside the normal course of interactions required by their duties. CLASS 1 - 5”

“NAC 284.650 (2) Disgraceful personal conduct which impairs the performance of a job or causes discredit to the agency. CLASS 2

“Wear the Department uniform in any bar, tavern, nightclub, or gambling establishment except in the performance of assigned duties. CLASS 2

“Staff on inmate Sexual Harassment, which includes staff, volunteer, contractors, or any service providers coming in contact with an inmate, said conducts includes but is not limited to:

- (1) Repeated verbal comments of a sexual nature to an inmate; or
- (2) Demeaning references to gender; or
- (3) Derogatory comments about body or clothing; or
- (4) Repeated profane or obscene language or gestures.

CLASS 1 – 5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Under the CLASS OF OFFENSE GUIDELINES, an offense in the new AR that was not in the old AR has been added to the **UNBECOMING CONDUCT** category. The added offense that is in the new AR but was not in the old AR reads:

“Any violation of AR 345 regarding unauthorized relationships. CLASS 1-5”

“Verbal threats or display of intimidating behavior towards a staff member. CLASS 3”

--Under the CLASS OF OFFENSE GUIDELINES in the new AR, offenses in the new AR have been changed in the **UNBECOMING CONDUCT** category. The changed offenses in the old AR read:

“Unauthorized use, misuse, destruction or waste of property belonging to **another employee**, a citizen or an inmate. CLASS 2”

“Displaying pornographic or adult pictures, movies, **or videos to inmates**, employees or to persons outside of the Department while on paid status or on state property. CLASS 5”

“Any conduct whether on or off duty **which negatively** reflects upon the image of the State of Nevada or the Department of Corrections. CLASS 1 – 5”

The changed offenses in the new AR now read:

“Unauthorized use, misuse, destruction or waste of property belonging to **the State of Nevada, another employee**, a citizen, or an inmate. CLASS 1-5 (Such misconduct may subject the employee to financial liability for replacement of the property, whether attributable to negligence, lack of reasonable care, or failure to follow proper procedures.)”

“Displaying pornographic or adult pictures, movies, **videos or text to inmates**, employees or to persons outside of the Department while on paid status or on State property. CLASS 5”

“Any conduct whether on or off duty **which may negatively** reflect upon the image of the State of Nevada or the Department of Corrections. CLASS 1–5”

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

--Three new sections have been added to the new AR. These three new sections were not in the old AR. The three new sections are titled:

“ADJUDICATION”

“IMPOSING CORRECTIVE OR DISCIPLINARY ACTION”

“CONFIDENTIALITY OF PERSONNEL RECORDS”

The three new added sections in the new AR read:

339.08 ADJUDICATION

1. After the assigned investigator or supervisor completes the final case report, the Appointing Authority will adjudicate the matter within the time assigned, designating the final applicable Class of Offense Guidelines, using the appropriate form, and in coordination with the Office of the Inspector General.
2. The Appointing Authority shall prepare the Result of Adjudication Form, DOC-1096. Thereafter, the Appointing Authority should meet with the accused employee to advise the employee of the findings and recommendations.

339.09 IMPOSING CORRECTIVE or DISCIPLINARY ACTION

1. Employee performance issues should be addressed at the lowest appropriate level of supervision beginning with verbal counseling and through Specificity of Charges.
2. Corrective action includes a verbal or written counseling, which may be recorded on the performance card, as well as a Letter of Instruction or a Written Reprimand.
3. Before issuing corrective action, the Appointing Authority should make certain that no formal investigation related to the performance or misconduct issue is still pending. While performance issues or low-level misconduct will not usually be subject to a formal investigation, the impartial fact-finding process may determine that an issue appearing to be more serious at the outset does not require discipline.
4. Except for PREA-related matters, prior to an investigation, verbal or written counseling may be used to immediately correct safety or security issues. This counseling should include an acknowledgment that further investigation leading to discipline may follow in due course.

SUMMARY OF CHANGES

AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

5. Verbal or written counseling and Letters of Instruction may be used to supplement the evaluation process, between regularly scheduled reports on performance.
6. An impartial fact-finding investigation is required before imposition of a suspension, demotion, or dismissal.
7. When a suspension, demotion or dismissal is warranted, a Specificity of Charges (NPD-41) should be drafted, utilizing the appropriate format located on the Stewart shared drive.

339.10 CONFIDENTIALITY OF PERSONNEL RECORDS

1. All documents assembled or produced in support of this regulation are confidential.
2. Files may be reviewed by a subject employee pursuant to applicable sections of NRS Chapters 284 and 289.
3. Files may be copied by a subject peace officer pursuant to applicable sections of NRS Chapter 289.
 - A. Once an appeal has been filed, a peace officer may request a copy of the investigative file, using the DOC-1066 form.
 - B. The DOC-1066 form is available on the shared drive and should be submitted to the Department's Human Resources Division.

SUMMARY OF CHANGES

AR 421 CUSTODIAL SEXUAL MISCONDUCT, INMATE SEXUAL OFFENSES AND PRISON RAPE ELIMINATION ACT

Throughout the AR the word facility was updated to say institution/facility.

Under 421.03 1 and 1. A. PREA COMPLIANCE MANAGERS wording was changed to incorporate A. into 1. The old AR read:

1. Each facility shall have a designated PREA Compliance Manager, (CM) with sufficient time and authority to coordinate the institution/facility's compliance with the PREA standards.

A. The CM will report directly to the Facility Warden.

The changed sentences in the new AR read:

1. The Warden at each institution is responsible to designate a PREA Compliance Manager, (CM) with sufficient time and authority to coordinate the institution/facilities' compliance with the PREA standards. The CM will report directly to the Institutional Warden.

Under 421.04, 2, Employee and contractor Criminal Records checks wording was added:

2. NDOC shall not hire, promote or maintain employment of anyone who may have contact with inmates, who:

- A. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution (as defined in 42 U.S.C. 1997);
- B. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
- C. Has been civilly or administratively adjudicated to have engaged in the activity described above.

Under 421.06, 3, CONTRACTOR AND VOLUNTEER TRAINING this sentence was changed:

3. Volunteers and contractors who have contact with inmates shall receive PREA training prior to entering any institution/facility.

The changed sentence in the new AR reads:

3. The Department shall maintain documentation confirming that volunteers and contractors understand the training they have received.

SUMMARY OF CHANGES

Under 421.12 CRIMINAL AND ADMISTRATIVE INVESTIGATIONS sections A, B and C were added:

- A. Following an investigation into an inmate's allegation that he or she suffered sexual abuse in the Department, the inmate will be informed that the investigation has been closed as substantiated, unsubstantiated, or unfounded.
- B. Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, and the allegation ws shown to be substantiated or unsubstantiated, the inmate will be notified:
 - The staff member is no longer posted within the inmate's unit;
 - The staff member is no longer employed at the facility;
 - The staff member has been indicted on a charge related to sexual aubse within the Department; or
 - The Department learns that the staff member has been convicted on a charge related to sexual abuse within the Department.
- C. Following an inmate's allegation that he or she has been sexually abuse by another inmate, the Department shall subsequently inform the alleged victim whenever;
 - The alleged abuser has been indicted on a charge related to sexual abuse within the Department; or
 - The alleged abuser has been convicted of a charge related to sexual abuse within the Department.

SUMMARY OF CHANGES

AR 440 FIRE SAFETY

--In the AUTHORITY section two of the dates have also been updated:

AUTHORITY: NRS 209.131, NRS 477.250, NRS 205.010, NRS 205.025, NAC 477.281, IFC 2012 edition, NFC 2012 edition

--Under RESPONSIBILITY, this wording has been clarified:

The appropriate Director is responsible for implementing this regulation.

The changed sentence in the new AR reads:

The Deputy Director of Operations is responsible for implementing this regulation.

There were minimal additional changes made to this AR. Throughout the AR the tense of certain words was edited for clarity. For example:

The Warden/Division Head of each institution and facility is responsible to develop, maintain and implement a fire plan for each institution and facility under their supervision.

The changed sentences in the new AR read:

The Warden/Division Head of each institution and facility is responsible for developing, maintaining, and implementing a fire plan for each institution and facility under their supervision.

There was also a spelling correction throughout the AR: insure was changed to ensure.

Under 440.01, 1 TRAINING the wording was clarified. The changed sentence in the old AR read:

1. The Training Section of the Department will carry out a training program for institutional staff in the appropriate use of emergency fire fighting equipment within the institutions where they will be employed.

The changed sentences in the new AR reads:

1. The Training Division will provide training programs for all NDOC staff in Pre-Service, SER and CER refresher training. The training will provide an overview of basics of origins of fires, the various fire classifications, overview of extinguishers and their use and other general knowledge.

SUMMARY OF CHANGES

AR 443 HAZARDOUS COMMUNICATION AND CONTROL, USE OF TOXIC, FLAMMABLE, AND CAUSTIC SUBSTANCES

--Under the RESPONSIBILITY section in the new AR, sentences have been added and parts of sentences have been removed. The previous AR reads:

All correctional institutions/facilities under the Nevada Department of Corrections (NDOC), including camps, are required to complete the online Hazardous Material reporting requirement as required by the State Fire Marshal's office. Each institution/facility, including camps, must complete their own report.

The Chief Engineer or Chief of Plant Operations or designee is responsible for notifying the contractors and/or subcontractors to provide NDOC a copy of their Hazardous Communication Program and Material Safety Data Sheets (MSDS's) prior to starting a project.

The changed sentences in the new AR read:

All correctional institutions/facilities under Nevada Department of Corrections (NDOC), including camps, are required to complete the annual online Hazardous Material reporting requirement as required by the State Fire Marshal's office.

Each Facility Supervisor is responsible for notifying outside contractors and/or subcontractors who provide services to the Department to furnish NDOC with a copy of their Hazardous Communication Program and Safety Data Sheets (SDS's) for any hazardous substances to be brought on site prior to starting a project.

Submitted Hazardous Communication Programs shall be forwarded to the Compliance Enforcement Unit.

There were also a changes throughout the AR:

Material Safety Data Sheets (MSDS) was changed to Safety Data Sheets (SDS).
Safety Specialist Consultation Supervisor was changed to Compliance Enforcement Unit

--Under 443.03 INVENTORIES, FILES, AND MASTER INDEX there were additions to section 2. Department Files, (1). The old AR read:

(1) All product suppliers should provide -SDS's for each of their products and each product must include labels and warnings and the name and address of the supplier or responsible party prior to the delivery of the product.

The changed new AR now reads:

(1) All product suppliers should provide -SDS's for each of their products and each product must include labels and warnings and the name and address of the supplier or responsible party prior to the delivery of the product. No hazardous material shall be used until the appropriate SDS has been received and made available.

SUMMARY OF CHANGES

(9) SDS's for chemicals no longer used should be maintained for 30 years and be marked with time frame and location used.

Also under 443.03 INVENTORIES, FILES, AND MASTER INDEX deletion in section 3. Master Index, section C was deleted.

C. The master index will also contain an up-to-date list of emergency phone numbers (e.g., local fire department, local poison control centers.)

--Under section 443.04 TRAINING/INSPECTIONS the section was broken into two sections:

443.04 TRAINING

443.05 INSPECTIONS

--Under 443.04 TRAINING sentences in the old AR have been changed or deleted in the new AR. There were also additions to the new AR. The changed section in the old AR read:

1. The Safety Specialist Consultation Supervisor will prepare and make available to all employees and inmates written training programs on the proper storage, control and use of all hazardous substances.

A. All Staff and inmates who routinely come into contact with certain hazardous substances will receive training in those particular areas.

2. Documentation of such training will be recorded by the supervisor or individual(s) conducting the training and filed with the Department's Safety Specialist Consultation Supervisor. The supervisor will ensure a copy of the documentation will be forwarded for retention to the Department's Regional Employee Development Office.

Number 5. and 5. A. were moved under the new section 443.05 INSPECTIONS

The changed offenses in the old AR read:

1. The Compliance Enforcement Unit will prepare and make available to all employees and inmates written training programs on the proper storage, control and use of all hazardous substances.

A. NDOC shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area.

B. All Staff and inmates who routinely come into contact with certain hazardous substances will receive training in those particular areas.

SUMMARY OF CHANGES

2. Documentation of such training will be recorded by the supervisor or individual(s) conducting the training and filed with the Department's Employee Development Office.

-Under section 443.05 INSPECTIONS Number 5. and 5. A. were moved under the new section 443.05 INSPECTIONS and changed to number 1. A.

1. The Compliance Enforcement Unit Shall conduct inspections at least semi-annually at institutions/facilities and as deemed necessary. The Compliance Enforcement Unit will report findings of non-compliance to the Warden and Deputy Director of Operation.

A. The staff member responsible for the safety program at the institution/facility may be requested to conduct inspections by the Compliance Enforcement Unit as deemed necessary.

--Under APPLICABILITY the work annual was added to this sentence:

2. This Administrative Regulation requires an **annual** audit.

SUMMARY OF CHANGES

AR 446 IDENTIFICATION OF INMATES AFFILIATED WITH SECURITY THREAT GROUPS AND DISRUPTIVE GROUPS

After the first appearance of **Inspector General's Office (IG)**, the abbreviation **IG** was used from that point forward throughout the document.

--Under **RESPONSIBILITY** part of this paragraph was deleted:

All Department staff share the responsibility in reporting and identifying STG and/or DG. All staff will accurately document suspected STG and/or DG members and their activities and ensure all validation and supporting information and documentation is sent to the designated staff member within Inspector General's Office via the appropriate and established chain of authority.

The changed paragraph in the new AR reads:

All Department staff share the responsibility in reporting and identifying STG and/or DG.

--Under **446.02 STG AND/OR DG INVESTIGATION AND VALIDATION** section A. had deletions and section B was rewritten:

A. When practical the documentation, photographs and/or any other report should be imported into the NOTIS utilizing the document import icon in the appropriate module within NOTIS.

B. Should the institution not have the capability of document import, contact should be made with the Inspector General's Office.

The changed section in the new AR reads:

A. When practical the documentation, photographs and/or any other report should be imported into the NOTIS incident report utilizing the document import icon.

B. The STG assessment fields in NOTIS will be updated for all involved inmates, to accurately reflect current STG status and involvement.

The section title **446.04 REVIEW AND/OR REMOVAL OF A STG/DG DESIGNATION** was changed to: **446.04 REVIEW FOR CHANGE AND/OR DEBRIEFING FROM A STG/DG DESIGNATION**

--Under **446.04 REVIEW FOR CHANGE AND/OR DEBRIEFING FROM A STG/DG DESIGNATION** sections 2 - 6 had deletions re-writes and new wording added The previous AR looked like this:

SUMMARY OF CHANGES

2. Inmates who express an interest in debriefing and having the STG/DG designation removed will be referred to the Inspector General's Office, with notification to the appropriate Associate Warden for tracking purposes.
3. The IG designee will review the inmate's classification via Offender Management Division or the classification module in NOTIS.
4. The IG designee will document the inmate's request within NOTIS and assign the matter for investigation. The investigation and follow up may be assigned to a staff member within the institution or to the IG designee. The matter will be assigned for review by an Investigator in the Inspector General's Office within 60 days.
5. The debriefing interview will be recorded, with the recording, documentation, and report from the staff member to be returned to the IG designee. The assigned staff member will make recommendations and summarize the interview contents in their report. The debriefing investigation will be completed within 180 days of assignment, unless approved by the IG or Supervisory Criminal Investigator.
6. The IG designee Office will review the staff member's recommendation with the Offender Management Division designee.
7. The safety of the inmates must be of primary concern if they are to be reviewed for transfer or a change in custody.

The changed section in the new AR reads:

2. Inmates who express an interest in debriefing, changing their status of designation from active to inactive, or want the designation removed must submit a request for any of these processes in writing through the casework staff member to the Associate Warden at the institution or facility where the inmate is housed.
3. The Associate Warden will designate an institutional staff member to:
 - Generate a Nevada Offender Tracking Information System (NOTIS) report in the Incident Report (IR) module, clearly articulating the specific request by the inmate (Debriefing, Changing Status or Removal of Status);
 - Import all documents associated with the inmate's request into the NOTIS Incident report;
 - Notify the Associated Warden of the completion of these steps; and
 - Refer the generated IR for review by the IGs Office.
4. All inmate requests for Debriefing from their affiliation with a STG will be addressed through review by the IGs office.

SUMMARY OF CHANGES

- The IG designee will review the inmate's request within NOTIS and assign the matter for **handling and** investigation **to an investigator** within the **IG's office**
- The matter will be assigned for review by an Investigator in the Inspector General's Office within **30** days.
- The **processes and procedures** associated with official Debriefing are contained within the confidential STG/DG manual.
- Upon completion of the investigation of Debriefing qualification, IG staff will work with Offender Management Division (OMD) staff as well as the institutional administrative staff where the inmate is currently housed to assess best placement for the inmate.
- Any activity, subsequent to official Debriefing, that is confirmed as associated with a STG will result in immediate removal from a status of Debriefed to include removal from any type of housing and/or programming associated to Debriefing
- At all phases of the Debriefing process, to include any possible removal from a debriefed status, housing and/or programming, the Department will take safety and security needs of the inmate, the institution and staff into account.

5. All inmate requests for a review for a Status Change to inactive will be initiated and conducted at the institutional level unless there are special circumstances that would not allow for the review to occur in this manner, following the prescribed format and processes, which include:

- The Inspector General's **Office** designee will assign the NOTIS IR an Incident Inquiry (IN) case number to **the** institution wherein the inmate is housed;
- The Associate Warden of the institution will designate an institutional staff member to conduct the review for a Status Change;
- The designated staff member will gather facts, information and documentation from NOTIS and other sources of information from the Department or outside law enforcement agencies in order to corroborate or refute inactivity. Some identified sources of information include;
 - NOTIS Incident Reports;
 - NOTIS Disciplinary History reports;
 - NOTIS Grievance log report;
 - NOTIS Inmate Housing History report;
 - Classification records from NOTIS and the inmate's I file;
 - Recorded inmate phone calls;

The designated staff member will conduct an in person recorded interview with the inmate requesting a Status Change;

- The designated staff member will generate a report, including all garnered information, data and evidence and support his/her findings in the report;
- The final report will be submitted to the Associate Warden of the Institution who in turn will submit and confer **with the** Inspector General's Office (designee) for a determination about the Status Change.

SUMMARY OF CHANGES

6. Any inmate that has had their STG/DG status changed or removed for whatever reason can be reviewed for any subsequent change of status based upon demonstrated STG/DG activity, association, or documentation.

--Under 446.05 STG/DG RECORDS CONFIDENTIALITY there were numerous changes. The previous AR looked like this:

1. Institutional/facility STG/DG procedures and all related documentation and information will be confidential.

A. STG/DG information and documentation is held on a Need to Know, Right to Know basis, under the federal guidelines of 28 CFR 23 relative to dissemination.

2. Unauthorized dissemination of STG/DG information or documentation is prohibited by any staff member of the department. Only the Director or the Inspector General's Office is authorized to release STG/DG information, whether on a group or an inmate affiliated with a STG/DG.

The changed section in the new AR reads:

1. STG/DG affiliation status information about an inmate(s) may be disseminated in conjunction with an official request related to the inmate from The Pardons or Parole Board.

2. STG/DG affiliation status information about an inmate(s), including DOC forms 1597 and 1598, may only be disseminated in conjunction with an official request, related to the inmate(s) from a Law enforcement agency.

A. STG/DG information and documentation determined to be confidential will be disseminated via official request to the Inspector General's Office.

3. Unauthorized dissemination of STG/DG confidential information or documentation is prohibited by any staff member of the Department.

--Under 446.06 STG/DG TRAINING the previous AR looked like this:

1. The IG designee, with approval of the Inspector General, will identify and designate Department trainers in the identification and management of Security Threat Groups and/or Disruptive Groups.

2. Department STG/DG training lesson plans shall be approved by the IG designee and Employee Development Division.

SUMMARY OF CHANGES

The changed sentence in the new AR reads:

1. The IGs Office will make available subject matter experts to Employee Development Division for training of staff in the identification and management of Security Threat Groups and/or Disruptive Groups.
2. Department STG/DG training lesson plans shall be reviewed and approved by the IG designee and Employee Development Division.

--Under APPLICABILITY number 2. The words an OP were changed to confidential Manual The changed sentence in the new AR reads:

2. This regulation requires confidential Manual from the Inspector General's Office.

SUMMARY OF CHANGES

AR 493 ENERGY CONSERVATION

The only change to this AR is the addition of sections A and B under APPLICABILITY number 1.

1. This regulation applies to all buildings operated by the Nevada Department of Corrections.

A. Exception. 1. This regulation does not apply to the room(s) where pharmaceuticals are stored in the Central Pharmacy located Casa Grande Transitional Housing.

B. Exception. 2. Server Rooms.

SUMMARY OF CHANGES

AR 548 CASEWORK TO DOCUMENT HOLDS AND DETAINERS

Clarification throughout the AR includes:

- The word **and** is occasionally replaced with **and/or**.
- The designation “Institutional Holds and Detainer Coordinator (HDC),” has been added.
- Where **(NOTIS) is referenced**, the words **(OSM) and**, may have been added. For example: The OMD Warrants Coordinator will immediately enter confirmed holds and detainers and detainers received from other agencies into **OSM and** NOTIS case notes.

Under **RESPONSIBILITY** reference to the **Nevada Offender Tracking Information System (NOTIS)** was replaced with **Offender Sentence Management (OSM)**. The old AR read:

The Offender Management Administrator (OMA) is responsible for establishing and monitoring a process to ensure that holds and detainers from other agencies and jurisdictions are properly documented in the **Nevada Offender Tracking Information System (NOTIS)**.

The changed paragraph in the new AR reads:

The Offender Management Administrator (OMA) will be responsible for ensuring that holds and detainers from other agencies and jurisdictions are properly documented in the **Offender Sentence Management (OSM)** Holds and Detainers screen.

Under 515.01, 1, B, PROCEDURES, 6) was added:

6) Inmate advisement to staffs.

Under 515.01, 1, E, PROCEDURES, the words **for holds and detainers were added. The sentence in the new AR reads:**

E. Casework **for holds and detainers** consists of contacting the agency and obtaining:

Under 515.01, 1, F, PROCEDURES, wording was added. The old AR read:

F. Caseworkers will input this information into NOTIS and send a completed Form 2040 or **Form** 2040A to the **OMD** Warrants Coordinator in the Offender Management Division. If an Originating Agency Identifier (ORI) Number is not available; this **fact** will be noted.

SUMMARY OF CHANGES

The sentence in the new AR reads:

F. Caseworkers will input this information into NOTIS **case notes** and send a completed Form 2040 or 2040A to the **Institutional Holds and Detainer Coordinator (HDC) who will review and forward the information to the** Warrants Coordinator in the Offender Management Division. If an Originating Agency Identifier (ORI) Number is not available; this will be noted.

Under 515.01, 1, G, 1) PROCEDURES, wording was added. The old AR read:

(1) Misdemeanor or gross misdemeanor charges or holds,

The sentence in the new AR reads:

1) Misdemeanor or gross misdemeanor charges or holds; **assisting inmates and other agencies resolving outstanding charges or holds.**

Under 515.01, 2, C & 3, PROCEDURES, new wording was added to clarify the Interstate Agreement on Detainers. The old AR read:

C. The OMD Warrant Coordinator is responsible for researching and initiating Interstate Agreement on Detainers (IAD).

(1) Designated institutional staff is responsible for review and witnessing the signing of IAD forms 1, 2, 3 and 4, by the inmate.

3. Classification

A. The presence of a confirmed non-extraditable felony hold, notify or detainer is not an automatic exclusion from minimum custody. Each instance needs to be considered on a case by case basis taking into consideration the inmate's proximity to release; the type of offense that it represents; and the other agencies intentions.

B. If the hold is for an obligation that is concurrent, and discharges before their Nevada sentence, an inmate may be considered for minimum custody.

C. An inmate with an ICE hold may be approved for, or remain in a minimum custody setting. Review for assignment to, or retention at minimum custody should provide specific information regarding the escape risk that the inmate represents, including but not limited to observed behaviors, statements or comments ICE officials, or local (within Nevada) legal family ties.

B. If a confirmed hold or detainer is determined to be an appropriate exclusion for minimum custody, the NOTIS classification assessment should be documented in the Questionnaire Minimum Eligibility Question 6 "YES" check mark and narrative in the comments section.

SUMMARY OF CHANGES

This section in the new AR reads:

C. The Interstate Agreement on Detainers (IAD) provides the means by which an incarcerated person may be brought to answer for untried charges in another state; and for preserving the rights that an incarcerated person may be entitled to with regard to detainers.

- 1) A warrant may be received by the Department from a prosecuting official, or as a result of an inquiry made by an inmate of the Department.
- 2) A prosecutor may file a warrant and exercise authority to proceed immediately with extradition, or file the warrant and take no action with regard to extradition.
- 3) If a warrant is filed without an expressed intent to extradite; the inmate may exercise his right to request a final disposition.

D. Once the necessary detainer information is obtained, the OMD Warrant Coordinator is responsible for researching and initiating Interstate Agreement on Detainers (IAD). The HDC is responsible for reviewing, witnessing the signing of IAD FORMS 1, 2, 3 and 4, with the inmate and forwarding the respective documents back to the OMD Warrants Coordinator.

SUMMARY OF CHANGES

AR 571 INMATE GENETIC MARKER TESTING

--Under **571.01 PROCEDURES**, number 1., the category designation was removed, and wording was added to number 2:

1. Certain inmates convicted of a **category A or B** felony may petition the court for post conviction genetic marker analysis.
2. Inmates meeting the requirements for this testing must submit their petition to the court on the attached DOC Form-2083, Genetic Marker Testing.

The changed sentence in the new AR reads:

1. Certain inmates convicted of a felony may petition the court for post conviction genetic marker analysis.
2. Inmates meeting the requirements for this testing must submit their petition to the **clerk of the district court via certified mail, in the county for which the petitioner was convicted** on the attached DOC Form-2083, Genetic Marker Testing. **A copy of the petition must also be sent by registered mail to the Office of the Attorney General and the district attorney in the county in which the petitioner was convicted.**

SUMMARY OF CHANGES

AR 604 OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS

--Under AUTHORITY: [NRS 630.272](#) was removed.

--Under 604.03 AUDIT [Bloodborne Pathogen](#) was removed and [Nevada Department of Corrections \(NDOC\)](#) was added. The changed sentence in the new AR reads:

1. The Medical Division's Infection Control Committee shall conduct an annual audit to ensure adherence to the [Nevada Department of Corrections \(NDOC\)](#) Exposure Control Plan.

--Under 604.04 ACCESS TO THE EXPOSURE CONTROL PLAN had deletions and new wording added The previous AR looked like this:

1. The Medical Division [should distribute the Bloodborne Pathogen](#) Exposure Control Plan [Manuals to the Medical Director and all medical institutions.](#)

The changed section in the new AR reads:

1. The Medical Division [will provide access to all employees to the NDOC](#) Exposure Control Plan [on the Stewart shared drive.](#)

--Under the signature section the names [R. Bruce Bannister, D.O.](#) and [James G. Cox](#) were removed so only the Titles are listed:

Medical Director

Director

SUMMARY OF CHANGES

AR 658, HEARING IMPAIRED INMATES

Under 658.01, 1 INITIAL INTAKE PROCESS wording was added or deleted for clarification.

The changed sentences in the new AR read:

1. At intake, the Department will identify inmates who may be deaf or hearing impaired. Identification of a hearing impairment, that has not already been identified in intake process documents **from the sending jurisdiction**, is the responsibility of custody or medical staff who take note of any perceived hearing impairment.
2. Medical staff will assess inmates who are **identified as** hearing impaired and may require ADA accommodations. If it is determined that an identified inmate may require services the inmate will be scheduled to be evaluated by a practitioner (physician or mid-level provider) within 48 hours **of that assessment**.
3. If the practitioner determines that an identified inmate **may have a hearing deficit and require some** accommodations, the practitioner will be responsible to submit a request to the Utilization Review Panel for a consult by an outside specialist to determine the level of hearing loss and appropriate care for the inmate.
4. Once the hearing deficit has been confirmed and a course of treatment ordered, **Medical staff will inform the ADA coordinator**. The inmate will be seen by a committee consisting of the ADA coordinator and classification to determine appropriate accommodations and services based on the treatment ordered. A memo to all staff will be generated by the ADA coordinator indicating the services that will be provided and any other special handling instructions **for that inmate**. Copies of the memo will be placed in the inmates I – file and medical file.
5. Once the appropriate level of care and the inmate's needs have been determined the inmate will be eligible to be reviewed by Classification staff to determine appropriate institutional placement. Classification staff shall consider security concerns and appropriate programming availability at various institutions **when classifying hearing impaired inmates**.

SUMMARY OF CHANGES

Under 658.02, 3 ACCESS TO AUXILIARY AIDS AND SERVICES wording was added or deleted for **clarification**.

The changed sentences in the new AR read:

3. When an auxiliary aid or service is requested by a deaf or hearing-impaired inmate, the ADA coordinator will consult with the inmate to determine what aid(s) will be effective **and will meet safety and security objectives**. Staff will give primary consideration to the inmate's choice unless another equally effective means of communication is available and/or provision of the auxiliary aid or service requested by the inmate would result in an undue financial or administrative burden to the Department or a fundamental alteration of the program, services or activity **and/or the request accommodation will have a negative impact on institutional safety or security**.

Under 658.03, 3 MEDICAL SERVICES wording was added or deleted for **clarification**.

The changed sentences in the new AR read:

3. Medical staff must be notified in writing by the inmate if the inmate's hearing aid is damaged or in need of repair. **The hearing aid will be turned into the department with the request**. The hearing aid will be sent out by the Department to a repair company by the next business day with a request for estimate or quote of the estimated charges to repair or replace the hearing aid.

SUMMARY OF CHANGES

AR 815 INMATE MARRIAGES AND DOMESTIC PARTNERSHIPS

Throughout the AR the tense of certain words was edited for clarity. For example:

All inmates are responsible **to** comply with this regulation.

The changed sentences in the new AR read:

All inmates are responsible **for** complying with this regulation.

--Under 815.01 INMATE MARRIAGES number 3 there was a deletion. The previous AR looked like this:

3. Both parties must meet with the Chaplain or other designated person and be informed of the inmate's crime, the length of sentence, **and the legal ramifications of the marriage.**

The changed sentence in the new AR reads:

3. Both parties must meet with the Chaplain or other designated person and be informed of the inmate's crime **and** the length of sentence.

Throughout the AR the word **will** was changed to **must**. For example:

These costs **will** be paid for in advance.

The changed sentence in the new AR reads:

These costs **must** be paid for in advance.

--Under 815.01 INMATE MARRIAGES number 15 there was a deletion. The previous AR looked like this:

15. Security concerns may require placing reasonable restrictions on **these marriages.**

A. These concerns must be specific rather than general. For example, a denial of a marriage request because an inmate is in segregated housing is not sufficient reason to deny a marriage request.

The changed section in the new AR reads:

15. Security concerns may require placing reasonable restrictions **on the marriage ceremony.**